

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION

UNITED STATES OF AMERICA *ex rel.*
HARROLD E. (GENE) WRIGHT,

Plaintiffs,

V.

CHEVRON USA INC., *et al.*

Defendants.

No. 5:03cv264

Chief Judge David Folsom


FINAL JUDGMENT AND ORDER OF DISMISSAL

A settlement agreement having been executed among the parties, the United States having intervened for settlement purposes as to all claims, and a joint stipulation of dismissal having been filed by the United States of America; Elizabeth A. Wright and Bradley S. Wright, Substitute Relators and Appointed Successors of Harrold E. (“Gene”) Wright, deceased (“Relator”); and BP Amoco Corp. (formerly Amoco Corp., now BP Corporation North America Inc.), Amoco Production Company (now BP America Production Company), BP Exploration & Oil, Inc. (now BP Products North America, Inc.), BP America, Inc., Atlantic Richfield Company, and Vastar Resources, Inc. (now BP America Production Company) (collectively the “BP Defendants”), and for good cause shown, IT IS HEREBY ORDERED THAT:

- 1) The following claims against the BP Defendants are dismissed with prejudice as to the United States:

- a) All claims that from August 2, 1986 to December 31, 2008, the BP Defendants erroneously reported and paid royalties for gas under 30 C.F.R. § 206.152 (2009) when they should have reported and paid royalties for gas and gas plant products under 30 C.F.R. § 206.153 (2009). As a consequence, the BP Amoco Defendants underreported and underpaid royalties;
 - b) All claims that from August 2, 1986 to November 1, 2008, the BP Defendants improperly took processing deductions for costs of boosting residue gas as prohibited by 30 C.F.R. §§ 202.151(b) (2009) and 206.158(d)(1) (2009), including capital, operating and other costs related to boosting, and/or failed to report or pay royalties on gas consumed for boosting residue gas and thereby underreported and underpaid royalties thereon; and
 - c) All claims that from August 2, 1986 to December 31, 2002, the BP Defendants failed to perform dual accounting as required under 30 C.F.R. § 206.155 (2009) on the Federal onshore leases listed on Exhibit A to the Settlement Agreement.
- 2) All other claims in this action against the BP Defendants are dismissed without prejudice to the United States; and that
 - 3) All claims in this action against the BP Defendants are dismissed with prejudice to Relators Elizabeth A. Wright and Bradley S. Wright as successors to Relator Harrold E. (Gene) Wright, deceased.

SIGNED this 4th day of October, 2011.


DAVID FOLSOM
UNITED STATES DISTRICT JUDGE